

August 6th, 2012

Ms. Sheila Burrus
Land and Chemicals Division, RCRA Compliance Section I,
United States Environmental Protection Agency
Mail Code LR-8J
77 West Jackson Boulevard
Chicago, IL, 60604-3590

Dear Ms. Burrus:

Re: Notice of Violation
Bell Lumber and Pole Company
EPA ID Number MND006206403
New Brighton, Minnesota

This letter provides a response to the USEPA letter received by Bell Lumber and Pole Company (BLP) on July 9, 2012 regarding a notice of violation (NOV) for hazardous waste management at BLP's facility located at 778 First Street, NW in New Brighton, Minnesota. In that letter, USEPA identified six conditions of potential noncompliance which have been copied and specifically addressed below.

Condition 1:

Any person who produces a waste within the state of Minnesota must evaluate the water to determine if it is hazardous. See, Minn. R. 7045.0214, subp. 1 [40 CFR §262.11]. A generator must keep records of any test results, waste analyses, or other determinations made in accordance with Minn. R. 7045.0214 to 7045.0217 for at least three years from the date that the waste was last sent to an on-site or off-site treatment, storage or disposal facility. See, Minn. R. part 7045.0294, subp. 3 [40 CFR §262.40(c)]. Minn. R. part 7045.0294 subp. 5 requires that the records referred to in subp. 3 be located at the licensed site and easily available for agency inspection.

At the time of the November 2, 2010 inspection, BLP was unable to produce any records that documented the hazardous waste evaluation for any of its waste streams. BLP, therefore, violated the above-mentioned hazardous waste generator recordkeeping requirement.

Response 1:

During the November 2, 2012 inspection, there was an apparent miscommunication between the USEPA inspector and BLP's on-site representative. At the time, the USEPA inspector requested

analytical and waste characterization information conducted within the past 3 years. Since BLP's waste characterization analyses were older than three years (sampling conducted in 2001), BLP did not have any records to produce.

Exhibit A presents the waste analysis records for BLP's waste stream. Since the waste composition has not changed, no additional waste analyses have been performed. These records are and will be kept on-site.

Condition 2:

In order to avoid the need for a hazardous waste storage permit, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. parts 7045.0558, 7045.0562 subps. 1 and 2; 7045.0566 to 7045.0576; and 40 CFR §268.7(a)(5) regarding personnel training, ignitable, reactive or incompatible waste, preparedness and prevention, and contingency planning. See, Minn. R. 7045.0292 subp. 1, item I [40 CFR §262.34(a)(4)]. Under Minn. R. part 7045.0558, hazardous waste facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with Minn. R. Ch. 7045. (See, Minn. R. part 7045.0558). This program must be directed by a person trained in hazardous waste management procedures, and must include instruction that teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. The training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including where applicable: (i) procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; (ii) key parameters for automatic waste feed cutoff systems; (iii) communications or alarm systems; (iv) procedures for response to fire or explosions; (v) procedures for response to ground water contamination incidents; and (vi) procedures for shutdown of operations. These are also requirements for owners and operators of hazardous waste storage facilities. See, Minn. R. part 7045.0454 subp. 3 [40 CFR §264.16(a)(3)].

A Minn. R. part 7045.0558 subp. 6 requires the following documents and records to be maintained at the facility: A. the job title for each position at the facility related to hazardous waste management and the name of the employee filling each job; B. a written job description for each position at the facility related to hazardous waste; C. a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position described in item A; and D records that document that the training or job experience required under Subparts 1 to 5 of Minn. R. 7045.0558 has been given to, and completed by, facility personnel. These are also requirements for owners and operators of hazardous waste storage facilities. See, Minn. R. part 7045.0454 subp. 6 [40 CFR §264.16(d)].

At the time of the November 2, 2012 inspection, BLP had not maintained a written job description for each position at the facility related to hazardous waste management. BLP, therefore, failed to comply with the condition for hazardous waste storage permit exemption, and violated the hazardous waste storage facility training record requirement.

Response 2:

As noted in the compliance evaluation inspection report provided by Ms. Burrus, BLP provided follow up documentation related to employee job descriptions and the handling/management of hazardous waste within 10 days of the inspection. As shown in Exhibit B, Bell has further revised the documents. As Bell does not have a full time hazardous waste management person, Bell will include the hazardous waste management job description as an addendum to the job description of personnel who have duties regarding hazardous waste management.

Condition 3:

As discussed above, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. part 7045.0566 in order to avoid the need for a hazardous waste storage permit. (See, Minn. R. part 7045.0292 subp 1, item I [40 CFR §262.34 (a)(4)]). Minn. R. part 7045.0566 subp. 6 requires that owners or operators of hazardous waste facilities maintain aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency unless it can be demonstrated to the Commissioner that the aisle space is not needed for any of these purposes. See, Minn. R. part 7045.0566 subp. 6 [40 CFR §265.35]. This is also a requirement of owners and operators of hazardous waste storage facilities that store containers of hazardous waste. See, Minn. R. 7045.0462, subp. 6 [40 CFR §264.35].

At the time of the November 2, 2010 inspection, the hazardous waste drums in the hazardous waste storage area were situated too close to one another to allow unobstructed movement of personnel and emergency equipment. BLP, therefore, failed to comply with the above-mentioned condition for a hazardous waste permit exemption, and violated the hazardous waste storage facility aisle space requirement.

Response 3:

The drums containing hazardous waste at BLP were stored on a concrete floor within a steel building and within a concrete secondary containment. The contents of the drums are non-flammable and are located directly next to an overhead door that provided direct firefighting access to the entire storage area.

BLP has modified the hazardous waste storage area to expand the aisle spacing. Exhibit C presents a photograph showing the current layout and spacing.

Condition 4:

As discussed above, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. parts 7045.0566 to 7045.0576 in order to avoid the need for a hazardous waste storage permit. (See, Minn. R. part 7045.0292 subp. 1, item I [40 CFR §262.34(a)]). Minn. R. part 7045.0572 subp. 4, item F requires a spill prevention, control and countermeasure (SPCC) plan and/or contingency plan to include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. The evacuation plan must describe the signal or signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes in cases where the primary routes could be blocked by the release of hazardous waste or fire. See, Minn. R. part 7045.0572, subp. 4, item F [40 CFR §265.52(f)].

At the time of the November 2, 2012 inspection, BLP SPCC plan did not include an evacuation plan, and BLP, therefore, failed to comply with the conditions for a hazardous waste storage permit exemption and violated the hazardous waste storage facility SPCC and/or contingency plan content requirements.

Response 4:

The BLP SPCC Plan in place at the time of the inspection directed personnel to evacuate the area in case of a significant spill (Page 2-5) if necessary and call 911; however, the procedures did not include explicit details such as evacuation routes. These details were included in the final version of the Contingency Plan provided to Ms. Burrus on November 16, 2010. The compliance evaluation inspection report provided by Ms. Burrus states that she reviewed the contingency plan and states that "it appears to be in complete order without issue". Exhibit D.1 presents an excerpt from the contingency plan which includes evacuation routes. Exhibit D.2 includes the Compliance Evaluation Inspection Report excerpt written by Ms. Burrus in which the aforementioned statement is made (page 4, Contingency Plan). Exhibit D.3 is the BLP SPCC Plan.

Condition 5:

BLP conducts wood preserving operations on drip pads at the Facility. In order to avoid the need for a hazardous waste storage permit, a large quantity generator of hazardous waste that conducts wood preserving operations on drip pads must comply with Minn. R. part 7045.0644 and maintain records containing a description of procedures that will be followed to ensure that all wastes are removed from drip pads and associated collection systems at least once every 90 days, and maintain documentation of the quantities, dates, and times of each waste removal. Records relating to drip pads must be maintained at the licensed site and must be easily available for agency inspection. (See, Minn. R. part 7045.0292 subp. 1, item B [40 CFR §262.34(a)(1)(iii)]). Under Minn. R. part 7045.0644 subp. 1, owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water runoff to an associated collection system are subject to the requirements of 40 CFR part 265, subp. W. Minn. R. part 7045.0541 subp. 1 subjects owners and operators of hazardous waste storage facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water runoff to an associated collection system to the requirements of 40 CFR, part 264, subp. W.

BLP did not maintain records containing a description of procedures that will be followed to ensure that all wastes are removed from drip pads and associated collection systems at least once every 90 days. BLP, therefore, failed to comply with the above-mentioned conditions for a hazardous waste storage permit exemption, and was subject to the requirements for hazardous waste storage facility with drip pads at Minn. R. part 7045.0541 and 40 CFR part 264, subp. W.

Response 5:

BLP has improved its documentation procedures to be in compliance with Minnesota Rules 7045.0541 and 40 CFR 264, subp. W.

Condition 6:

A large quantity generator who does not meet the conditions for a permit exemption at Minn. R. 7045.0292, subp. 1 [40 CFR §262.34(a)], is an operator of hazardous waste storage facility, and is required to apply for and obtain a Minnesota hazardous waste storage permit. See, Minn. R. parts 7045.2092, subp. 1, items A-G; 7001.0030; 7001.0520 subp. 1, item A; 7001.0530; and 7001.0550 [40 CFR §§270.1 (c), 207.10 (a) and (d)]. Upon failing to comply with the conditions for a hazardous waste permit exemption specified above, BLP became an operator of a hazardous waste storage facility. BLP failed to apply for and obtain hazardous waste storage permit, and BLP's failure to apply for and obtain a hazardous waste storage permit, violated the permitting requirements of Minn. R. parts 7045.2092, subp. 1, items A-G; 7001.0520, subp. 1, item A; 7001.0530; and 7001.0550 [40 CFR §§270.1 (c), 207.10 (a) and (d)].

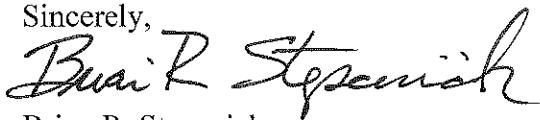
At this time, EPA is not requiring BLP to submit an application for a hazardous waste storage permit, so long as it establishes compliance with the conditions for a permit exemption.

Response 6:

Since the November 2, 2010 inspection, BLP has improved environmental practices at their New Brighton, Minnesota facility and (as established in the responses above) they are in full compliance with State and Federal hazardous waste regulations. BLP is committed to applying the time and resources necessary to maintain full compliance with all applicable environmental regulations.

Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,



Brian R. Stepaniak
Bell Lumber and Pole Company

Cc: Mr. Jeff Connell, MPCA

Exhibit A



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www.spectrum-labs.com

LABORATORY ANALYSIS REPORT

DATE: June 12, 2001

PAGE: 1 Of 2

CLIENT: Bell Lumber & Pole Co.
PO Box 1002
New Brighton, MN 55112

PROJECT NO.: 053101-300539
COLLECTION DATE: 5/30/01
COLLECTED BY: Client
RECEIVED DATE: 5/31/01

CONTACT: Daryle Thingvold

<u>ANALYSIS</u>	<u>UNITS</u>	<u>Sample No.:</u> <u>Sample ID.:</u> <u>MDL</u>	<u>PQL</u>	<u>47140.001</u> <u>Wood Chips-1</u> <u>RESULT</u>
Method 8270C ^(dd) Date Extracted: 6/07/01 Date Analyzed: 6/07/01 Pentachlorophenol	mg/kg	2000	3000	6200

<u>ANALYSIS</u>	<u>UNITS</u>	<u>Sample No.:</u> <u>Sample ID.:</u> <u>MDL</u>	<u>PQL</u>	<u>47140.002</u> <u>PPE-1</u> <u>RESULT</u>
Method 8270C ^(dd) Date Extracted: 6/07/01 Date Analyzed: 6/07/01 Pentachlorophenol	mg/kg	2000	3000	12,000

<u>ANALYSIS</u>	<u>UNITS</u>	<u>Sample No.:</u> <u>Sample ID.:</u> <u>MDL</u>	<u>PQL</u>	<u>47140.003</u> <u>Filter Cake-1</u> <u>RESULT</u>
Method 8270C ^(dd) Date Extracted: 6/07/01 Date Analyzed: 6/07/01 Pentachlorophenol	mg/kg	2000	3000	7400

<u>ANALYSIS</u>	<u>UNITS</u>	<u>Sample No.:</u> <u>Sample ID.:</u> <u>MDL</u>	<u>PQL</u>	<u>47140.004</u> <u>Soil-1 East Yard</u> <u>RESULT</u>
Method 8270C ^(dd) Date Extracted: 6/07/01 Date Analyzed: 6/07/01 Pentachlorophenol	mg/kg	20	30	30

^(dd) A dilution was necessary due to sample matrix & levels present; therefore, detection limits were raised.
ND means Not Detected or below reported MDL
MDL means Method Detection Limit
PQL means Practical Quantification Limit
mg/kg means Milligrams Per Kilogram which is equivalent to Parts Per Million (ppm)

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LABORATORY ANALYSIS REPORT

DATE:	June 12, 2001	PAGE:	2 Of 2
CLIENT:	Bell Lumber & Pole Co. PO Box 1002 New Brighton, MN 55112	PROJECT NO.:	053101-300539
		COLLECTION DATE:	5/30/01
		COLLECTED BY:	Client
		RECEIVED DATE:	5/31/01
CONTACT:	Daryle Thingvold		

This report has been reviewed by me for technical accuracy and completeness. The analyses were performed using EPA or other approved methodologies and the results were reported on an "as received" basis unless otherwise noted. Organic soil analyses were reported on a dry weight basis. The results reported relate only to the items tested. Please contact me if you have any questions or comments regarding this report. Spectrum Labs, Inc. appreciates the opportunity to provide this analytical service for you.

Report Submitted By,

Roberta Taylor

William Scruton
Laboratory Manager

WS:wmc
47140

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Exhibit B

JOB DESCRIPTION: Maintenance Engineer
REPORTS TO: Plant Manager, Yard Supervisor
JOBS SUPERVISED: None
STATUS: Non-Exempt - Union

JOB PURPOSE:

Maintain and keep functional all aspects of the plant, CROW, yard and office facility in compliance with all applicable OSHA safety policies and local codes. This includes but is not limited to; preventative maintenance on all mobile equipment, treating plant equipment, and yard/framing tools, as well as regular repairs and emergency repairs.

ESSENTIAL JOB DUTIES:

- Correctly and completely assess the proper intervals for preventative maintenance of all equipment.
- Troubleshoot and make the proper assessment of damaged or malfunctioning equipment so as to make the correct repair judgment.
- Make small parts and tools as needed.
- Sharpen drill bits, saw chains, and draw knives.
- Keep the shop area, parts room, maintenance office and CROW building clean and orderly.
- Operate the block dissolver and mix system.
- Operate the boilers.
- Assist in transferring oil between the CROW building tanks and the treating plant.
- Assist with unloading parts, equipment and supply trucks.
- Assist in maintaining the physical condition of the yard.
- Maintain the Penta Block inventory and keep the storage containers in compliance with applicable regulations.

Hazardous Waste Management duties:

If you are assigned a job that requires you to be involved in hazardous waste relate duties, you must also read, understand, and sign the "Hazardous Waste Management" Team addendum. The addendum describes specific duties, policies, and training requirements that are in addition to your regular job description. If you have not signed off on this job description and received the hazardous waste training you are not authorized to perform any duties related to hazardous waste management.

JOB QUALIFICATIONS:

Education: High School Diploma or equivalent.

Experience:

- Must have at least 1 years' experience with some type of maintenance position.
- Practical welding, electrical, hydraulic and mechanical experience is a plus.

SKILLS AND COMPETENCIES:

- Must possess advanced math skills.
- Must be able to operate a PC.
- Must successfully complete Bell Lumber & Pole's hazardous material training.
- Must have legible handwriting.
- Must be able to use various office equipment.
- Must be able to lift at least 50 lbs.
- Must be able to safely ascend and descend ladders.
- Must be able to walk and or stand for extended periods of time.
- Must be able to count precisely and accurately and to record part numbers correctly.
- Should have good communication skills.
- Should be able to work supervised and unsupervised equally well.
- Know and understand all MSDS sheets for any chemical compounds that are required as part of the job.
- Must be able to properly use and maintain all PPE required for the job.
- Must be above average welder as determined by Bell Lumber & Pole Management.
- Must possess good troubleshooting skills.

WORK ENVIRONMENT/PHYSICAL DEMANDS:

While performing the duties of this job, the employee is frequently required to stand, walk, reach with hands and arms and is frequently required to sit, talk and hear, and to use hands to finger, handle or feel. The employee may occasionally lift and/or move 50 pounds or more. Specific vision abilities required by the job include peripheral vision and the ability to adjust focus. The work environment characteristics are best defined as a treating plant environment with exposure to elements such as heat, cold, precipitation or toxic fumes. Employee will have moderate exposure to noise as heard in a pole yard and treating plant environment, at times noise levels will exceed safe working levels. Employee will have light exposure to the chemicals and solutions used in treating wood and cleaning the plant. The job requires overtime, up to and including overnight stays.

New Hire Signature

Date

Manager/Supervisor Signature

Date

JOB DESCRIPTION: Laborer
REPORTS TO: Plant Manager, Yard Supervisor
JOBS SUPERVISED: None
STATUS: Non-Exempt Union

JOB PURPOSE:

The purpose of the Laborer is to assist the Framer in accurately setting the "face" of the poles, precisely and accurately drilling the proper holes, and placing the necessary gains. In addition the Laborer will do the proper groundline preparation, as well as attaching identification tags on the utility poles. The Laborer is also available to assist the other employees with any physical tasks associated with the operation of the pole yard and treating plant.

ESSENTIAL JOB DUTIES:

- Shaving with a drawknife, any areas missed by the mechanical shaver, and problem spots or repairing damaged spots on poles and other products.
- Measuring and marking properly the locations of the gains, holes, tags and other associated parts of poles and other products.
- Measuring ground lines, tops, knots of poles and other products for compliance with ANSI, AWAP, ASTM, REA grading standards.
- Properly identify any defects, limited or prohibited, and apply the proper grading rules per ANSI, AWPA, ASTM, REA standards.
- Drilling the holes with precision and accuracy per the framing instructions of the customers.
- Performing the proper groundline preparation on poles that require it.
- Install any and all associated markings per the customers' specifications, including but not limited to; star locks, marking tags, specialty tags, burn brands, balance points.
- Assisting with other duties as assigned by Management.

Hazardous Waste Management duties:

If you are assigned a job that requires you to be involved in hazardous waste relate duties, you must also read, understand, and sign the "Hazardous Waste Management" Team addendum. The addendum describes specific duties, policies, and training requirements that are in addition to your regular job description. If you have not signed off on this job description and received the hazardous waste training you are not authorized to perform any duties related to hazardous waste management.

JOB QUALIFICATIONS:

Education: High School Diploma or equivalent.

Experience:

- Working in an outdoor environment in variable weather conditions.

SKILLS AND COMPETENCIES:

- A strong familiarity with and practical knowledge of the ANSI, REA and AWPAs specs as they relate to utility poles and associated products.
- Ability to accurately and precisely read a tape measure.
- Ability to precisely and accurately drill framing holes and groundline preparation as directed.
- Ability to climb on, over and around poles and pole piles.
- Basic math skills.
- Must successfully complete Bell Lumber & Poles hazardous waste management training.
- Ability to safely use all powered and hand tools required to complete the proper framing as related to the customer's specifications.
- Safety – must be able to properly use and maintain all PPE associated with this job.

WORK ENVIRONMENT/PHYSICAL DEMANDS:**WORK ENVIRONMENT/PHYSICAL DEMANDS**

While performing the duties of this job, the employee is frequently required to stand, walk, reach with hands and arms and is occasionally required to sit, talk and hear, and to use hands to finger, handle or feel. The employee will frequently lift and/or move up to 25 pounds, infrequently lift up to 50 pounds. Specific vision abilities required by the job include peripheral vision and the ability to adjust focus. The work environment characteristics are best defined as an outdoor environment with exposure to elements such as heat, cold, precipitation, wind. Employees will have moderate exposure to noise as heard in pole production yard, including exposure to higher noise levels associated with power equipment. Employee will have light exposure to the chemicals and solutions used in treating wood. The job may occasionally require overtime.

New Hire Signature

Date

Manager/Supervisor Signature

Date

JOB DESCRIPTION: Treating Plant Engineer
REPORTS TO: Plant Manager, Yard Supervisor
JOBS SUPERVISED: None
STATUS: Non-Exempt - Union

JOB PURPOSE:

Operate the treating plant in a safe and efficient manner, ensuring that the policies and procedures set forth by the company are followed.

ESSENTIAL JOB DUTIES:

- Correctly and completely process the paperwork associated with the treating plant, including but not limited to; treating reports, pesticide application reports, kiln reports, daily clean-up reports, drippage reports, charge tallies, oil ordering POs and timesheets.
- Operate the transfer deck to move treating charges in and out of the cylinders, kilns, and loading bays.
- Chain and Un-chain the treating charges properly.
- Assist in the loading and unloading of treating charges and kiln charges.
- Operate the Treatright treating system in both automatic and manual modes.
- Operate the block dissolver and mix system.
- Operate the boilers and kilns.
- Keep the plant office and the plant area clean, neat and well organized.
- Apply treating solution to treated poles that are reframed or repaired.
- Transfer oil and treating solution between tanks properly.
- Test the treating solution for specific gravity and pentachlorophenol content.

Hazardous Waste Management duties:

If you are assigned a job that requires you to be involved in hazardous waste relate duties, you must also read, understand, and sign the "Hazardous Waste Management" Team addendum. The addendum describes specific duties, policies, and training requirements that are in addition to your regular job description. If you have not signed off on this job description and received the hazardous waste training you are not authorized to perform any duties related to hazardous waste management.

JOB QUALIFICATIONS:

Education: High School Diploma or equivalent.

Experience:

- Must be able to obtain and maintain a MN Pesticide applicator's license.

SKILLS AND COMPETENCIES:

- Must possess basic math skills.
- Must be able to operate a PC.
- Must successfully complete Bell Lumber & Poles hazardous waste management training.
- Must have legible handwriting.
- Must be able to use various office equipment.
- Must be able to lift at least 50 lbs.
- Must be able to safely ascend and descend ladders.
- Must be able to walk and or stand for extended periods of time.
- Must be able to count precisely and accurately and to record tallies correctly.
- Should have good communication skills.
- Should be able to work supervised and unsupervised equally well.
- Know and understand all MSDS sheets for chemicals involved in the treating process and/or used in the treating plant area.
- Must be able to properly use and maintain all PPE required for the job.

WORK ENVIRONMENT/PHYSICAL DEMANDS:

While performing the duties of this job, the employee is frequently required to stand, walk, reach with hands and arms and is frequently required to sit, talk and hear, and to use hands to finger, handle or feel. The employee may occasionally lift and/or move 50 pounds or more. Specific vision abilities required by the job include peripheral vision and the ability to adjust focus. The work environment characteristics are best defined as a treating plant environment with exposure to elements such as heat, cold, precipitation or toxic fumes. Employee will have moderate exposure to noise as heard in a pole yard and treating plant environment, at times noise levels will exceed safe working levels. Employee will have light exposure to the chemicals and solutions used in treating wood and cleaning the plant. The job requires overtime, up to and including overnight stays.

New Hire Signature

Date

Manager/Supervisor Signature

Date

JOB DESCRIPTION: “Hazardous Waste Management” Team
REPORTS TO: Plant Manager, Yard Supervisor
JOBS SUPERVISED: None
STATUS: This is not an actual job title it is an addendum of duties in other Non-Exempt Union jobs. This is part of other duties as assigned

JOB PURPOSE:

The purpose of the a member of the Hazardous Waste Management Team is to keep Bell Lumber & Pole in compliance with all Environmental guidelines for a Large Quantity Generator through the clean up duties in the treating plant, and clean up of incidental drippage in the production yard and loading bays. The team member will read and understand the MSDS for both Pentachlorophenal and Treated Wood. The team member will do all clean up activities, documentation and inspections as set forth in the “Hazardous Waste Management” training. All members will also read and understand the facility Contingency Plan implementation procedures so that they are able to respond effectively in an emergency.

ESSENTIAL JOB DUTIES:

- Shoveling debris, sludge, or dirt as required to comply with all EPA guidelines and policies
- Power washing as necessary of the drip pad/loading bays with proper disposal of waste water etc.
- Proper documentation of all inspections and cleanup activities.
- Proper marking of all Hazardous waste drums
- Proper storage of Hazardous waste drums in the designated storage area.
- Inspection of Hazardous waste storage areas for compliance with appropriate documentation and follow-up
- Preparing Hazardous waste for shipment
- Follow proper accumulation policies and storage of satellite drums including proper aisle space
- Responsible for the daily cleaning and inspection of the treating plant area, including the drip pad, loading bays, kilns, block dissolver, tank farm, work tanks, transfer bay, etc.

Hazardous Waste Procedures:

Storage of Hazardous waste in the Hazardous Waste Storage area:

1. Keep hazardous waste containers closed except to add waste. Drum lids must be secured and the ring bolted tight.
2. Maintain adequate aisle space to ensure unobstructed removal of personnel, fire and spill equipment. Labels must be clearly visible. (See “marking and laveling containers” section below
3. Restrict access to the storage site to prevent accidental damage to equipment.
4. Complete the weekly checklist provided in the log book to include any issues and what was done to correct the issue.

Satellite accumulation:

1. Waste must be stored at or near the point of generation.
2. Waste accumulation is limited to on 55 gallon drum. Only one satellite container may be used.
3. Date is marked on the container when it is started
4. Lids must be secured and the ring bolt tightened when not in use.
5. Waste is removed to the permanent storage area within in three days of the fill date.
6. Waste is under the direct control of the process supervisor.

Marking and labeling containers:

1. Mark the containers with the words "Hazardous Waste" no abbreviations.
2. Mark the containers with a clear description of the waste, for example, "penta sludge", "Penta PPE", "Penta Wood Chips", etc.
3. Attach the Hazardous waste label to the drum when the drum is started.
4. Mark the containers with the accumulation start date when the drum is started before the first waste is placed inside.

Shipping Hazardous waste:

1. All hazardous waste shipments require a DOT Hazard label (4x4) Check with either DOT or the Hazardous waste shipper on the proper type and number of labels required.
2. All hazardous waste shipments require a company name and address, EPA ID Number, manifest document number, Accumulation start date, and the words: "Hazardous Waste- Federal Law Prohibits Improper Disposal"
3. All Hazardous waste shipments require a DOT ID Number.
4. All containers shipped must be free of damage, leaking and securely tightened lids.

JOB QUALIFICATIONS:

Education: High School Diploma or equivalent;

(Mandatory) Bell Lumber & Pole "Hazardous Waste Management" Training program-"Contingency Plan" and "Waste Minimization Plan" –initial training and annual retraining

Experience:

- Working in an outdoor environment in variable weather conditions.

SKILLS AND COMPETENCIES:

- A strong familiarity with and practical knowledge of MSDS sheets
- A strong familiarity with and practical knowledge of Hazardous waste management accumulation standards and storage requirements as it pertains to Bell Lumber & Pole
- A strong familiarity with and practical knowledge of Inspection practices and documentation of Inspections and clean up
- A strong familiarity and practical knowledge of waste minimization plan and it's compliance
- Safety – must be able to properly use and maintain all PPE associated with this job, and follow all precautions and guidelines as outlined in the training program and MSDS.

WORK ENVIRONMENT/PHYSICAL DEMANDS:

While performing the duties of this job, the employee is frequently required to stand, walk, reach with hands and arms and is occasionally required to sit, talk and hear, and to use hands to finger, handle or feel. The employee will frequently lift and/or move up to 25 pounds, infrequently lift up to 50 pounds. Specific vision abilities required by the job include peripheral vision and the ability to adjust focus. The work environment characteristics are best defined as an outdoor environment with exposure to

elements such as heat, cold, precipitation, wind. Employees will have moderate exposure to noise as heard in pole production yard, including exposure to higher noise levels associated with power equipment. Employee will have light exposure to the chemicals and solutions used in treating wood. The job may occasionally require overtime.

Employee Signature

Date

Manager/Supervisor Signature

Date

Exhibit C



07/30/2012



07/30/2012

Exhibit D

